

**ENTERED**

October 05, 2021

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>IN RE:</b>	§	<b>Case No. 21-32292</b>
	§	
<b>NB LOFT VUE DST, <i>et al.</i></b>	§	<b>Chapter 11</b>
	§	
<b>Debtors.</b>	§	<b>(Jointly Administered)</b>
	§	

**STIPULATION AND AGREED ORDER**

This Stipulation and Agreed Order (the “Stipulation”) is entered into by and between NB Loft Vue, DST (“Loft Vue”), NB Vue Mac, DST (“Vue Mac” and collectively with Loft Vue, the “Debtors”) and Fannie Mae (collectively with the Debtors, the “Parties”).

**RECITALS**

WHEREAS, on July 6, 2021 (the “Petition Date”), Debtors each filed voluntary petitions for relief under Chapter 11 of Title 11 of the U.S. Code (11 U.S.C. §§ 101 *et seq.*, herein after referred to as the “Bankruptcy Code”);

WHEREAS, on July 20, 2021, this Court entered an Order (Doc. No. 17) for joint administration of the Debtors’ bankruptcy cases;

WHEREAS, on September 13, 2021, Fannie Mae filed its *Motion for Stay Relief from the Automatic Stay as to Property of Debtor NB Vue Mac DST* (Doc. No 89) and its *Motion for Stay Relief from the Automatic Stay as to Property of Debtor NB Loft Vue DST* (Doc. No. 90) (collectively the “Stay Relief Motions”);

WHEREAS, as of the date of this Stipulation, the Debtors are in possession of their property and remain in control of their businesses and no trustee or committee has been appointed in this case;

WHEREAS, the Parties have agreed to a continuance of the hearing originally set for

October 8, 2021 and to set a final evidentiary hearing on the Stay Relief Motions (the “Final Hearing”) and to set further deadlines as defined below;

NOW, THEREFORE, after good-faith, arms-length negotiations, in consideration of the foregoing, it is hereby stipulated and agreed as follows:

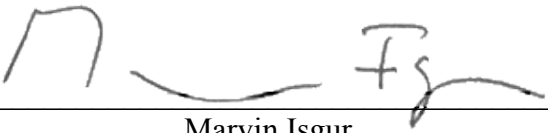
1. The deadline for serving written discovery shall be October 4, 2021.
2. The deadline for responding or objecting to written discovery shall be October 15, 2021.
3. The deadline for Debtors to submit their expert reports, if any, shall be October 18, 2021.
4. The Final Hearing shall be on October 28, 2021, at 10:00 a.m. The Final Hearing will be an evidentiary hearing and will be conducted via video participation at GoToMeeting, meeting code: JudgeIsgur, and teleconference at 832-917-1510, conference code: 954554.
5. The automatic stay shall continue in effect through the conclusion of the Final Hearing pursuant to Section 362(e)(1) of the Bankruptcy Code.
6. This Stipulation contains the entire agreement between the Parties as to its subject matter and supersedes any and all prior agreements and undertakings between the Parties relating thereto.
7. This Stipulation may not be modified other than by a signed writing executed by the Parties.
8. Each person who executes this Stipulation represents that he or she is duly authorized to do so on behalf of the respective Party and that each Party has full knowledge and has consented to the Stipulation.

9. This Stipulation may be executed in counterparts, each of which will be deemed an original but all of which together constitute one and the same instrument, and it constitutes sufficient proof of the Stipulation to present any copy, copies, or faxes signed by the Parties to be charged.

10. This Stipulation shall be binding upon the Parties' successors, agents, assigns (including bankruptcy trustees and estate representatives), and any parent, subsidiary or affiliated entity of the Parties.

11. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of the Stipulation, and the Parties hereby consent to such jurisdiction to resolve any disputes or controversies arising from or related to the Stipulation.

Signed: October 05, 2021



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Marvin Isgur  
United States Bankruptcy Judge

AGREED TO:

**BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ PC**

*By: /s/ Daniel J. Ferretti*

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DEBTORS-IN-POSSESSION